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ART UNIT	PAPER NUMBER
3624	

DATE MAILED: 04/24/2002   / 9

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _05 February 2002_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-25 and 27-44_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-25 and 27-44_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _22 January 1998_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

DETAILED ACTION

1.   Claims 1-25 and 27-44 are presented for examination. Claim 26 has been canceled and

claims 8, 27, 37, and 38 have been amended in this communication filed 02/05/02 entered as

amendment D, paper no. 18.

Specification

2.   The Specification is objected to because fig. 2, steps 212 and 216, fig. 3, step 316, and

fig. 4, step 414 in Applicants' drawing figures are not described in the Specification. Correction

is required. See MPEP § 608.01(b).

Drawings

3.   The drawings are objected to under 37 CFR 1.83(a) because they fail to show a "step

(step 30, fig.3)" described on page 14, line 23 as described in the specification. Any structural

detail that is essential for a proper understanding of the disclosed invention should be shown in

the drawing. MPEP § 608.02(d). Correction is required.

Claim Objections

4.   Claims 3 and 4 are objected to because of the following informalities: Claim 3, page 20,

line 7 and page 21, line 1, recites "an interesting operation." Claim 4, page 21, lines 25 and 30

have a similar problem. These claims are inconsistent with claims 1, 8, 37, and 38 which recite

"operations of a predetermined type." Appropriate correction is required.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6.   Claims 1, 8, 37, and 38 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for claims 2-7, 9-36, and 39-44, does not reasonably provide enablement for claims 1, 8, 37, and 38. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make or use the invention commensurate in scope with these claims. Claims 1, 8, 37, and 38 recite the claim limitation "an operation of a predetermined type" which is not supported or found in Applicants' Specification. The Examiner does not understand from Applicants' Specification and the claim limitations what Applicants' mean by "an operation of a predetermined type."

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 1-25 and 27-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bristor (US 6,018,342).

With respect to claim 1, Bristor teaches, maintaining in a memory a state history of a

document for storing document states (col. 11, lines 56-67 and col. 12, lines 1-13). Bristor did

not explicitly teach, whenever an operation of a predetermined type has occurred, automatically

capturing the state of the document as it exists after the operation and adding the captured state to

the state history, but it would have been obvious to one having ordinary skill in the art at the time

the invention was made to have an operation of a predetermined type that has occurred,

automatically capture the state of the document as it exists after the operation and to add the

captured state to the state history and in view of Bristor's teachings of a history mechanism, the

retrieval and display of a document, and a back command and a forward command in col. 3, lines

20-35 and col. 4, lines 5-27 to modify in Bristor because such a modification would allow a user

in Bristor's system to create a draft ("snapshot") of the current state of the document at a

particular point in time.

With respect to claim 2, Bristor teaches the memory comprises a disk file (col. 12, lines

10-13).

With respect to claim 3, Bristor teaches the state history includes states of the document

and the order in which the stored states were automatically added to the state history (col. 5, lines

19-30), the state history is displayed to a user as a list of document states shown in their stored

order (col. 11, lines 49-60 and fig. 5B, step 512), an operation is classified as an interesting

operation if it changes the state of the document (col. 3, lines 53-60 and col. 4, lines 42-55), a

state is added to the state history only if the operation creating the state is classified as an

interesting operation and not otherwise (col. 3, lines 61-67 and col. 4, lines 1-4), performing a

step backward operation by installing as the current state of the document a state stored in the

state history, all backward operations place the document in a state that occurred immediately

after an interesting operation (col. 4, lines 5-19), and performing a step forward operation by

installing as the current state of the document a state stored in the state history, all step forward

operations place the document in a state that occurred immediately after an interesting operation

(col. 4, lines 19-27 and lines 23-25).

With respect to claim 4, Bristor teaches the list of document states displayed to the user

comprises a list of items, each item representing a state of the document that existed after an

interesting operation and that can be recovered with a step backward operation in the application

(col. 2, lines 30-60) and the list of document states displayed to the user comprises a list of items,

each item representing a state of the document that existed after an interesting operation and that

can be recovered directly by selecting the item (col. 4, lines 28-49).

With respect to claim 5, Bristor teaches the application provides a tool operable under

user control to obtain source material from any state in the state history and apply it to a current

state of the document (col. 1, line 35-40 and lines 58-67). Bristor did not explicitly teach, the

application is a digital graphics program operable to create and revise images in digital form and

the images are raster images, but it would have been obvious to one having ordinary skill in the

art at the time the invention was made to create and to revise the images in digital form as raster

images and to modify in Bristor because such a modification would allow the graphics program

to decide what action is to be taken with the image being displayed on the visual display

representing any kind of document such as a scanned picture in a bitmapped format or any other

type of document.

With respect to claim 6, Bristor teaches the application enables a user to select any item

in the display list of items (col. 4, lines 28-39). Bristor did not explicitly teach, causing the

application to create a new document having the document state corresponding to the selected

item, but it would have been obvious to one having ordinary skill in the art at the time the

invention was made to have the document state correspond to the selected item and in view of

Bristor's teachings of a history list of documents to modify in Bristor because such a

modification would allow the operating system application program to create a document for

each associated command that is executed in the application program linking the command

together in a sequential list.

With respect to claim 7, Bristor teaches each of the captured states in the state history

maintains the state data in essentially its original form whereby the captured state data is suitable

for immediate use in other operations (col. 4, lines 56-67 and col. 5, lines 1-7).

With respect to claim 8, Bristor teaches maintaining a first history of operations of a

predetermined type and a second history of all operations requested by a user, the second history

but not the first history including operations global to the state of the application (col. 3, lines 61-

67, col. 4, lines 1-4 and col. 5, lines 8-30). Bristor did not explicitly teach, operations global to

the state of the application, but it would have been obvious to one having ordinary skill in the art

at the time the invention was made to have operations global to the state of the application and to

modify in Bristor because such a modification would allow a user to change the user preferences

in an application.

With respect to claim 9, Bristor teaches receiving from the user a sequence of commands

to change the document (col. 6, lines 11-16 and lines 45-61), changing the document state in

response to each command (col. 6, lines 29-51), for each document state added to the state

history, adding a corresponding entry to a history list displayed to the user on a computer-

controlled display device operated as part of a graphical user interface (col. 2, lines 30-44 and

lines 61-67), and in response to a user action stepping backward to an item in the history list,

updating the document to have the corresponding document state saved in the state history (col.

4, lines 15-19). Bristor did not explicitly teach, adding the changed document state to a state

history maintained in a computer-readable memory device each time the document state is

changed, but it would have been obvious to one having ordinary skill in the art at the time the

invention was made to have a state history maintained in a computer readable memory device

and to modify in Bristor because such a modification will allow changes to be made to a

document and the changes to be stored in volatile memory and to be saved to a more permanent

memory such as magnetic tape to prevent loss in the event of a software or hardware error

causing the computer to freeze which is well known in the art.

With respect to claim 10, Bristor did not explicitly teach, the state history and the history

list are limited to storing a preset number of items and excess items are scrolled off the top of the

list as new items are added, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have preset items and the excess items scrolled off the top of the list when new items are added and to modify in Bristor because such a modification with each action would be stored sequentially in the history list and to undo an action, the last action stored would be scrolled off the list and the application would take whatever measures are required to undo an action.

With respect to claim 11, Bristor did not teach the state history is stored in a region of memory and the oldest document states in the state history are discarded when free space in the region runs low, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the state history is stored in a region of memory and the oldest document states in the state history are discarded when free space in the region runs low and to modify in view of Bristor's teachings of memory, user data being stored, and a history menu and because such a modification in Bristor's computer system will be able to maintain a limited amount of memory for data storage and the oldest data will usually be deleted (discarded).

With respect to claim 12, Bristor teaches the oldest document states are found and (deleted) discarded (col. 14, lines 51-63). Bristor did not teach a memory management process, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a memory management process and to modify in Bristor because such a modification in Bristor's computer system will be able to maintain a limited amount of memory for data storage and the oldest data will usually be deleted (discarded).

With respect to claim 13, Bristor teaches a command to change the document that comes after a step backward command to a selected item in the history list causes the items after the selected item to be deleted from the history list and the corresponding document states to be deleted from the state history (col. 4, lines 5-19 and lines 56-65).

With respect to claim 14, Bristor teaches a command to change the document that comes after a step backward command to a selected item in the history list does not cause the items after the selected item to be deleted from the history list and adds a new item to the end of the history list and a new document state to the state history (col. 4, lines 31-52).

With respect to claim 15, Bristor did not explicitly teach enabling a user interface gesture on the history list to create a new document from a document state from the state history, but it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have a user interface gesture and to modify in view of Bristor's teachings of a gesture to identify a graphical representation of a link in col. 3, lines 55-60 and col. 4, lines 36-49 and because such a modification would allow the user to select an icon and to perform an operation on the list to create a document.

With respect to claim 16, Bristor teaches keeping a history list (col. 3, lines 61-66), selecting a future state from the history list, being a state created after the previous state, as a source of data for an operation (col. 4, lines 15-23) and performing the operation with the future data on the previous state (col. 4, lines 23-27). Bristor did not explicitly teach, going back to the previous state in the history list, but it would have been obvious to one having ordinary skill in

the art at the time the invention was made to go back to the previous state in the history list and

to modify in Bristor in view of Bristor's teachings of a step backward command in the history list

in col. 4, lines 7-10 and because such a modification would allow Bristor's system to allow a user

to display and to retrieve the Web document which immediately follows the currently displayed

Web document in the history list.

With respect to claim 17, Bristor teaches keeping a history of document states created by

a user (col. 4, lines 32-52) and enabling the user to step backward and forward through the

history and to alter the state of the document to be any of the document states in the history (col.

4, lines 56-65). Bristor did not explicitly teach, enabling the user to discard any of the history,

but it would have been obvious to one having ordinary skill in the art at the time the invention

was made to enable the user to discard any of the history and to modify in Bristor because such a

modification in Bristor would allow the history list of a document and the commands performed

to be updated frequently by a user.

With respect to claim 18, keeping a history of document states created automatically

whenever a user command to the application changes the state of a document (col. 2, lines 61-67

and col. 3, lines 1-29) and enabling the user to designate any one of the document states in the

history and install the designated state as the current state of the document (col. 4, lines 65-67

and col. 5, lines 1-7).

With respect to claim 19, Bristor teaches saving the history when the document is closed

on a long-term storage medium, whereby the history may be restored when the document is later

opened and across invocations of the application (col. 12, lines 3-13 and col. 13, lines 24-28).

With respect to claim 20, Bristor did not explicitly teach, the saved history resides in the

document with final document data, but it would have been obvious to one having ordinary skill

in the art at the time the invention was made to have the history reside with the final document

data and to modify in Bristor because such a modification would allow the previously generated

data to be represented to the user and associated with the stored (saved) data.

With respect to claim 21, Bristor teaches the saved history resides in a long-term data

repository independent of the original document (col. 17, lines 44-67 and col. 18, lines 1-3).

With respect to claim 22, Bristor teaches enabling the user to designate any arbitrary one

of the identified states (col. 9, lines 32-47). Bristor did not explicitly teach, identifying to the

user on a display device a set of states the document has been in by operation of the application

and providing the user an editing tool having the designated state as a document state operand

derived from the designated state, but it would have been obvious to one having ordinary skill in

the art at the time the invention was made to identify to the user the states on a display device and

provide the user with an editing tool having the designated state as a document state operand

derived from the designated state and to modify in Bristor because such a modification will allow

the user to be able to see what commands have been entered and what operations have been

performed on the document and the user will be able to use the editing tool to give editing

commands provided by the system such as cut, copy, paste, undo, and redo.

With respect to claim 23, Bristor did not explicitly teach, displaying the document in a

user interface window the document being a digital image, but it would have been obvious to one

having ordinary skill in the art at the time the invention was made to display the document in a

user interface window and for the document to be a digital image and to modify in Bristor

because such a modification would enable the user to perform operations on the displayed

document image by selecting the icons (pictures) by using a mouse.

With respect to claim 24, Bristor teaches displaying user-interface elements (col. 1, lines

58-65). Bristor did not explicitly teach, applying filters to a digital image, but it would have

been obvious to one having ordinary skill in the art at the time the invention was made to apply

the filters to a digital image and to modify in Bristor because such a modification would allow

many of the image processing functions to be built into paint and photopaint programs and to be

applied as filters to the image.

With respect to claim 25, Bristor teaches installing the designated state as the current

state of the document in response to a user command (col. 2, lines 10-29).

With respect to claim 27, Bristor did not explicitly teach, providing the user a delete tool

for deleting the designated state from the set of states, but it would have been obvious to one

having ordinary skill in the art at the time the invention was made to provide the user with a

delete tool having a designated state and to modify in Bristor because such a modification would

allow the user to undo a command using a mouse action after the command has been performed

on a document.

With respect to claim 28, Bristor did not explicitly teach, the set of states is identified by

displaying a scrollable list of elements each identifying one of the states, but it would have been

obvious to one having ordinary skill in the art at the time the invention was made to have the set

of states identified by displaying a scrollable list of elements with each identifying one of the

states and to modify in Bristor because such a modification would allow each menu to contain a

scrollable list of the menu items and the command to reflect its current appearance when

displayed to the user.

With respect to claim 29, Bristor did not explicitly teach, the list of elements are ordered

by the time the corresponding states were created, but it would have been obvious to one having

ordinary skill in the art at the time the invention was made to have the list of elements ordered by

the time the corresponding states are created and to modify in Bristor because such a

modification would allow Bristor's system to have the steps carried out in (1) order of creation

command, (2) add a menu item, and (3) mark the menu's appearance to correspond to the menu

item.

With respect to claim 30, Bristor teaches the designation and installation are performed in

response to a single command (col. 4, lines 7-10 and lines 23-25).

With respect to claim 31, Bristor teaches enabling the user to make a gesture on a user interface indicating a sequence of displayed state identifiers and responding to the gesture by displaying the document in the states indicated as the gesture is made (col. 3, lines 40-60).

With respect to claim 32, Bristor did not explicitly teach, enabling the user to modify the document state after the installing step and adding the document state resulting from the modification to the set of states identified on the display device, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have an installing step and to modify in Bristor because such a modification would allow the user to create a state for each command in the system and the document to be displayed for the modification of the document.

With respect to claim 33, Bristor teaches the set of states is displayed in order of creation of the states in the set (col. 4, lines 31-52).

With respect to claim 34, Bristor did not explicitly teach, the document is a digital image, but it would have been obvious to one having ordinary skill in the art of documents at the time the invention was made to have the document as a digital image and to modify in Bristor because such a modification would allow the image being displayed to represent any kind of a document such as a scanned picture in a bitmapped format or any other type of document that may be represented on a computer screen.

With respect to claim 35, Bristor teaches providing a step backward and a step forward command for the user to execute to navigate the set of states (col. 4, lines 5-7 and lines 25-27).

Bristor did not explicitly teach, providing a separate undo and redo command for the user to undo

and redo commands entered by a user, but it would have been obvious to a one having ordinary

skill in the art at the time the invention was made to provide separate undo and redo commands

and to modify in Bristor because such a modification would enable the user to toggles between

the two states of a document and to make a comparison of a result of the command.

With respect to claim 36, this dependent claim is rejected for the similar rationale as

given for claim 35.

With respect to claim 37, this independent claim is rejected for the similar rationale as

given for claim 1.

With respect to claim 38, Bristor teaches a computer-readable storage medium

embodying program instructions (col. 12, lines 1-4 and lines 12-13).

This claim is also rejected for the similar rationale given for claim 8.

With respect to claim 39, this independent claim is rejected for the similar rationale as

given for claim 9.

With respect to claim 40, this independent claim is rejected for the similar rationale given

for claim 16.

With respect to claim 41, this independent claim is rejected for the similar rationale given

for claim 17.

With respect to claim 42, this independent claim is rejected for the similar rationale given

for claim 18.

With respect to claim 43, this independent claim is rejected for the similar rationale given for claim 22.

With respect to claim 44, Bristor did not explicitly teach, providing the user a first undo command function that operates with reference to the first history and a second undo command function that operates with reference to the second history; but it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the user with a first undo command function that operates with reference to the first history and a second undo command function that operates with reference to the second history and in view of Bristor's teaching of a backward command and a forward command in col. 4, lines 5-7 and to modify in Bristor because such a modification would allow Bristor's content based history mechanism to enable a user to use the first undo command for the first history mechanism of the list of the most recently retrieved commands and the second history mechanism to store the second undo command in a history database with user data specifying an undo command which the user identifies as important.

Response to Arguments

9.   Applicants' arguments filed 02/05/02 have been fully considered but they are not persuasive.

1.   Applicants' argue: Bristor does not disclose or suggest maintaining a history of the states of a document or capturing the state of a document after an operation of a predetermined type has been considered but is not persuasive because "an operation of a

predetermined type is not suggested or found in Applicants' Specification. The Examiner does

not understand what Applicants' mean by "an operation of a predetermined type". This claim

limitation is not understood from the claim language or Specification.

2.   Applicants' argue: Bristor's teachings do not suggest the accumulation of

document states for a document has been considered but is not persuasive because in response to

Applicants' argument that the references fail to show certain features of applicant's invention, it

is noted that the features upon which applicant relies (i.e., "the accumulation of document states

for a document") are not recited in the rejected claim(s) 1-25 and 27-44. Although the claims are

interpreted in light of the specification, limitations from the specification are not read into the

claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

3.   Applicants' argue: Bristor does not teach or suggest a history of document states

produced by the user has been considered but is not persuasive because claim 1 does not suggest

or recite "the history of the document states are produced by a user."

4.   Applicants' argue: Bristor does not teach or suggest states of a document and the

order in which the stored states were automatically added to the state history and is displayed to

the user as a list of document states shown in their stored order, performing a step backward

operation wherein all step backward operations place the document in a state that occurred

immediately after an operation that changed the state of the document has been considered but

are not persuasive because claim 3 does not suggest or recite "... an operation that changed the

state of the document." Claim 3 recites "... an interesting operation." Bristor is interpreted as

teaching the "states of the document and the order in which the stored states were automatically added to the state history (the Netscape Web browser provides a mechanism by which a user can organize the virtual bookmarks of the structure in any order and ... can organize virtual bookmarks within a hierarchical structure) in col. 5, lines 15-30 and displayed to a user as a list of document states shown in their stored order ("... the user actuates history button 508A using a cursor 510 and in response a history menu is displayed") in a stored order is shown in fig. 5B (512) in col. 11, lines 51-53. Bristor teaches performing a step backward operation wherein all step backward operations place the document in a state that occurred immediately after [an operation that changed the state of the document] interesting operation ("... the Netscape Web browser provides a "back command, which is accessible to the user either through a pull down menu or through a virtual "back button) in col. 4, lines 7-10 and lines 15-19.

5. Applicants' argue: Bristor did not teach or suggest a "digital graphics program operable to create and revise images in digital form where the images are raster images has been considered but is not persuasive because a motivation was given as follows: Bristor did not explicitly teach, the application is a digital graphics program operable to create and revise images in digital form and the images are raster images, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to create and to revise the images in digital form as raster images and to modify in Bristor because such a modification would allow the graphics program to decide what action is to be taken with the image being displayed on the

visual display representing any kind of document such as a scanned picture in a bitmapped

format or any other type of document.

      6.   Applicants' argue: Bristor does not teach or suggest a method for creating a new

document having selected a previous state is not persuasive because a motivation was given as

follows: Bristor did not explicitly teach, creating a new document having the document state

corresponding to the selected item, but it would have been obvious to one having ordinary skill in

the art at the time the invention was made to have the document state correspond to the selected

item and to modify in Bristor because such a modification would allow the operating system

application program to create a document for each associated command that is executed in the

application program linking the command together in a sequential list.

      7.   Applicants' argue: Bristor does not disclose any method for enabling a user to

undo revisions made to a document has been considered but is not persuasive because

Applicants' claim limitations do not disclose or recite "a method for enabling a user to undo

revisions made to a document" in claim 8. Claim 8 recites "maintaining a first history of

operations of a predetermined type and a second history of all operations requested by a user, the

second history but not the first history including operations global to the state of the application."

The method for enabling a user to undo revisions made to a document and the steps that follow

the preamble do not show enabling a user to undo revisions made to a document and has not been

given patentable weight because the method for enabling a user to undo revisions made to a

document occurs in the preamble. A preamble is generally not accorded any patentable weight.

Applicants' argue that Bristor neither teaches or suggests making any automatic

distinction among the data, let alone the distinction in operations recited in claim 8 has been

considered but is not persuasive because the Examiner does not interpret Applicants' claim

limitation as suggesting or reciting "making any automatic distinction among the data."

8.   Applicants' argue: Bristor does not teach or suggest the use of user data to change

the state of a document or adding a changed document state to a state history in claim 9 has been

considered but is not persuasive because col. 8, lines 44-50 and figs. 1A and 1B, col. 9, lines 23-

26 and lines 48-51 and figs. 3A and 3B, and col. 11, lines 8-60 and figs. 5A and 5B were not the

columns and line numbers and figures cited for the claim limitations of claim 9. The limitations

of claim 9 are not interpreted as suggesting or reciting the use of user data to change the state of a

document. Bristor did not teach "adding a changed document state to a state history." The

motivation is as follows: Bristor did not explicitly teach, adding the changed document state to a

state history maintained in a computer-readable memory device each time the document state is

changed, but it would have been obvious to one having ordinary skill in the art at the time the

invention was made to have a state history maintained in a computer readable memory device

and to modify in Bristor because such a modification will allow changes to be made to a

document and the changes to be stored in volatile memory and to be saved to a more permanent

memory such as magnetic tape to prevent loss in the event of a software or hardware error

causing the computer to freeze.

9.   Applicants' argue: Bristor does not teach or suggest "the state history and the

history list are limited to storing a preset number of items and excess items are scrolled off the

top of the list as new items are added in claim 10 has been considered but is not persuasive

because the motivation for this claim limitation is as follows: Bristor did not explicitly teach, the

state history and the history list are limited to storing a preset number of items and excess items

are scrolled off the top of the list as new items are added, but it would have been obvious to one

having ordinary skill in the art at the time the invention was made to have preset items and the

excess items scrolled off the top of the list when new items are added and to modify in Bristor

because such a modification with each action would be stored sequentially in the history list and

to undo an action, the last action stored would be scrolled off the list and the application would

take whatever measures are required to undo an action.

10.   Applicants' argue: Bristor does not teach or suggest the state history is stored in a region

of memory and the oldest document states in the history are discarded when free space in the

region runs low has been considered but is not persuasive because it is interpreted as Bristor

teaching the state history is stored ("history database 804 ... user data are stored from previously

generated data") in col. 12, lines 4-13 (memory) and col. 13, lines 30-33. Bristor did not teach a

region of memory or the oldest document states in the state history are discarded when free space

in the region runs low but it would have been obvious to one having ordinary skill in the art at

the time the invention was made to have the state history stored in a region of memory and the

oldest document states in the state history to be discarded when free space in the region runs low

and to modify in Bristor in view of his teachings of a memory, user data being stored, and a

history menu because such a modification would allow Bristor to have space within a computer

where the information can be stored that is being worked on and when that space runs low the

information can be deleted (discarded). It is well known in the art that most microcomputers

have a small amount of read-only memory (ROM) and a large amount of random-access memory

(RAM).

11.   Applicants' argue: Bristor does not teach or suggest the oldest document states are

found and discarded by a memory management process has been considered but is not persuasive

because a motivation was given as follows: Bristor did not explicitly teach, a memory

management process, but it would have been obvious to one having ordinary skill in the art at the

time the invention was made to have a memory management process and to modify in Bristor

because such a modification in Bristor's computer system will be able to maintain a limited

amount of memory for data storage and the oldest data will usually be deleted (discarded).

12.   Applicants' argue: Bristor does not teach or suggest a command to change the

document that comes after a step backward command to a selected item in the history list causes

the history list and the corresponding document states to be deleted from the state history has

been considered but is not persuasive because Bristor teaches a back command in col. 4, lines 15-

16 ("... which is organized in reverse chronological order") changes the document that comes

after a step backward command in col. 4, lines 17-19 to a selected item in the history list in col.

4, lines 21-23 causes the item after the selected item to be deleted from the history list ("...

hypertext documents by removing (deleting) from the history list) in col. 4, lines 56-61 and the

corresponding documents to be deleted from the state history ("... then hypertext documents F

and B are removed (deleted) form the history list") in col. 4, lines 63-65.

13.   Applicants' argue: Bristor does not teach or suggest enabling a user interface

gesture on the history list to create a new document from a document state from the state history

has been considered but is not persuasive because col. 4, lines 56-65 were not cited as teaching

"enabling a user interface gesture on the history list to create a new document from a document

state from the state history" in claim 15. The column and line numbers cited as teaching this

limitation were col. 3, lines 55-60 and col. 4, lines 36-49. A motivation was given as follows:

Bristor did not explicitly teach, a user interface gesture, but it would have been obvious to a

person of ordinary skill in the art at the time the invention was made to have a user interface

gesture and to modify in Bristor because such a modification would allow the user to select an

icon and to perform an operation on the list to create a document.

14.   Applicants' argue: Bristor does not teach or suggest a history list of states or

performing an operation associated with a future state on a previous state has been considered but

is not persuasive because Bristor teaches a history list of states in col. 3, lines 62-66 ("... a list of

some of the most recently retrieved Web documents in reverse chronological order. The list

includes respective titles of the previously retrieved Web documents"). Bristor did not explicitly

teach, going back to the previous state in the history list, but it would have been obvious to one

having ordinary skill in the art at the time the invention was made to go back to the previous state

in the history list and to modify in Bristor in view of Bristor's teachings of a step backward

command in the history list in col. 4, lines 7-10 and because such a modification would allow

Bristor's system to allow a user to display and to retrieve the Web document which immediately

follows the currently displayed Web document in the history list. "Enabling a user to discard any

user-selected set of document states ..." is not a claim limitation in claim 16.

15.   Applicants' argue: Bristor does not disclose saving a document or document data

in claim 20 has been considered but is not persuasive because a motivation was given for this

claim limitation as follows: Bristor did not explicitly teach, the saved history resides in the

document with final document data, but it would have been obvious to one having ordinary skill

in the art at the time the invention was made to have the history reside with the final document

data and to modify in Bristor because such a modification would allow the previously generated

data to be represented to the user and associated with the stored (saved) data.

16.   Applicants' argue: Bristor did not teach or suggest identifying to the user on a

display device a set of states providing the user an editing tool having a designated state operand

has been considered but is not persuasive because a motivation was given for this claim

limitation as follows: Bristor did not explicitly teach, identifying to the user on a display device

a set of states and providing the user an editing tool having the designated state as a document

state operand, but it would have been obvious to one having ordinary skill in the art at the time

the invention was made to identify to the user the states on a display device and provide the user

with an editing tool having the designated state as a document state operand and to modify in

Bristor because such a modification will allow the user to be able to see what commands have

been entered and what operations have been performed on the document and the user will be

able to use the editing tool to give editing commands provided by the system such as cut, copy,

paste, undo, and redo.

Conclusion

10.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

       Nguyen (5,544,302) discloses a thumbnail or icon, backing out of operations already

performed, and graphics documents.

       Carpenter et al (5,754,174) discloses a user interface and a menu.

11.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Ella Colbert whose telephone number is (703)308-7064. The

examiner can normally be reached Monday through Thursday from 6:30 a.m. to 5:00 p.m.

EST.

       If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kim Vu, can be reached on (703)305-4393.

Any response to this action should be mailed to:

       Commissioner of Patents and Trademarks
       Washington, D.C. 20231

Or faxed to:

(703)746-7238 or (703)746-7239, (for formal communications intended

for entry).

Or:

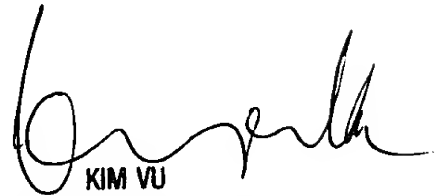(703)746-7240 (for informal or draft communications, please label

"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington, Virginia, Fourth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Group Receptionist whose telephone number is (703)305-3900.

E. Colbert
April 18, 2002

KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100